

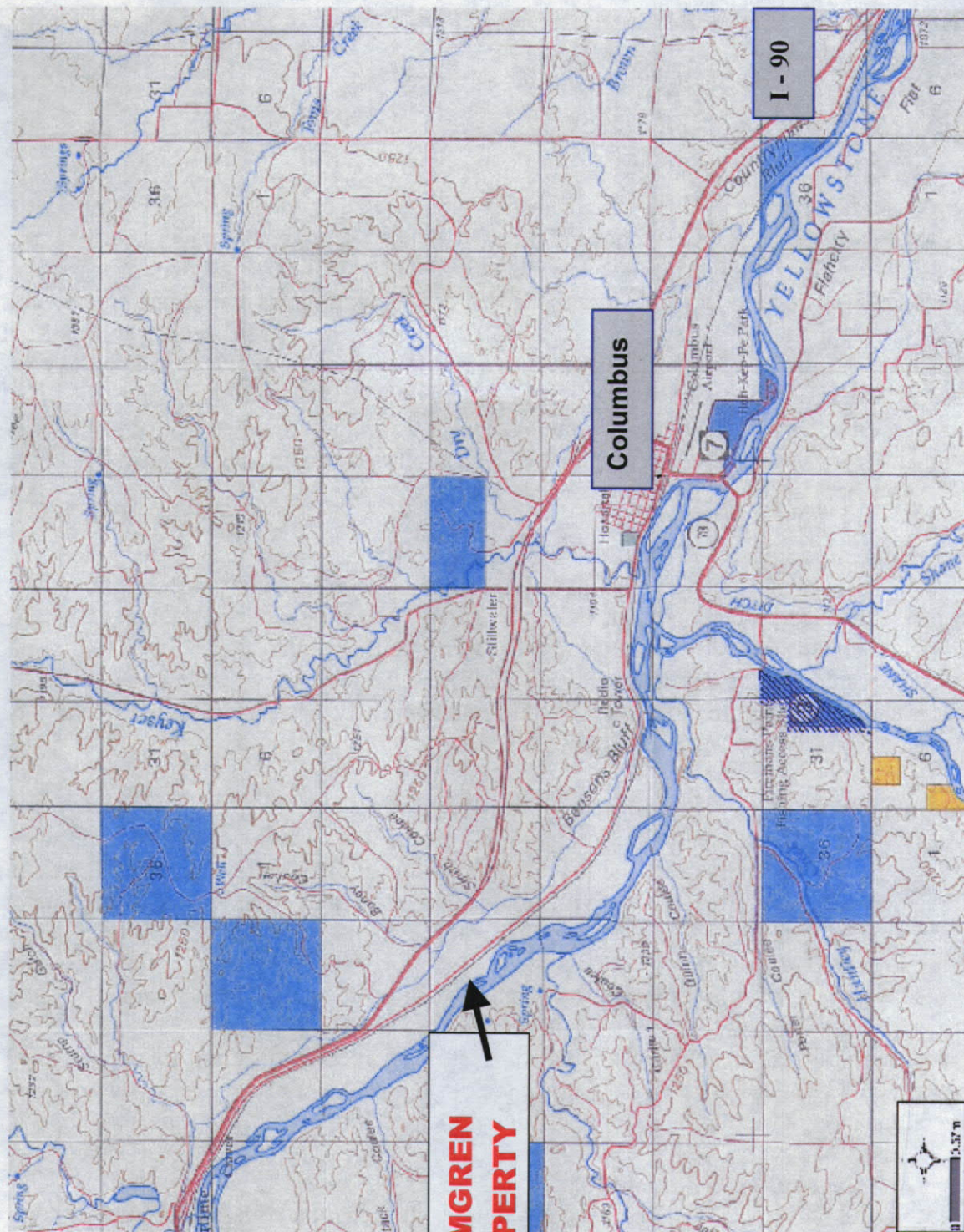
HOLMGREN PROPERTY – FISHING ACCESS SITE ACQUISITION

Montana Board of Land Commissioners

September 2008

Acquiring Agency:	Montana Fish, Wildlife & Parks
Land Interest:	Fee Purchase
Cost, Funding & Property Characteristics:	<p>Montana Fish, Wildlife & Parks proposes to purchase a 72-acre property on the Yellowstone River near Columbus for the price of \$550,000. The property includes more than a mile of river shoreline, and will be managed as a fishing access site. There are no building improvements on the property. The property is accessed from old U.S. Highway 10 by a private railroad crossing over the BNSF line. The crossing is suitable for administrative access, and FWP is now working with the railroad and MDT to establish a crossing for public use. During the next few years, the Department will also assess the desirability of developing a campground on site; campground development would be subject to a separate environmental review process. Funding for the purchase of the Holmgren property will be provided primarily by the Access Montana program.</p>
Resource Values:	<p>The Holmgren property, six miles upstream from Columbus, will provide a boat launch/takeout site at a strategic location between existing fishing access sites that are 19 miles apart. The property has high-quality fish and wildlife habitat, with a mixture of hay meadows, cottonwood forest and shrub stands. Its proximity to I-90, Columbus and Billings and its status as one of the few public land holdings with extensive Yellowstone frontage suggest that there will be substantial public use of this site.</p>
Process:	<p>FWP Draft Environmental Assessment was released on July 8, 2008, with a public hearing in Columbus on July 24. FWP received 19 oral and written comments in support of the acquisition, and none in opposition. FWP also consulted with neighbors to address concerns over the potential impacts of public use of the property.</p> <p>Decision Notice was issued by FWP on August 15, 2008, recommending purchase of the property.</p> <p>FWP Commission approved the project on August 28, 2008</p>

Yellowstone River – Stillwater County



FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: August 28, 2008

Agenda Item: Acquisition of Holmgren Property (Region 5: Yellowstone River)

Division: Parks **Action Needed:** Approval of Final Action

Time Needed on Agenda for this Presentation: 10 minutes

Background

FWP proposes to purchase a 72-acre fishing access site, located on the north side of the Yellowstone River about six miles west of Columbus in Stillwater County. This acquisition is a regional priority because of the need for public river access in this vicinity. The Holmgren property has a mile of Yellowstone River frontage, and includes meadows, cottonwood stands and terrain suitable for boat launching and landing. FWP has negotiated a \$550,000 fee purchase of the property from the Holmgren family, with funds to come primarily from the Access Montana program. Over the next few years, FWP will assess the desirability of developing a campground on site; if the outlook is favorable, FWP will conduct a separate environmental review process and solicit public comments prior to campground development. FWP will also move forward to secure a railroad crossing permit from BNSF to provide for public vehicular access to the site.

Public Involvement Process & Results

On July 8, FWP issued an environmental assessment on the acquisition of the Holmgren property. The public comment period ended on August 8. In addition, a public hearing was held in Columbus on July 24. Several comments were received during the public hearing and the 30-day EA public comment period. None were in opposition to the project. Staff from the Regional office met with the adjoining landowner to discuss management issues, and this landowner did not express opposition to the project. The Decision Notice was posted on August 15, supporting the acquisition.

Alternatives and Analysis

- 1) FWP can proceed to purchase the Holmgren property as proposed, securing this important Yellowstone River access point and the opportunity for future park development. The existing railroad crossing will provide FWP with administrative access, with public access initially provided as walk-in and float-in. FWP would then follow through on its work with the railroad to obtain a permit to move the crossing point and provide for public vehicular access. Detailed discussions with railroad representatives have provided a positive outlook on obtaining this permit.
- 2) If the Commission does not approve this proposed acquisition at this time, the opportunity FWP to acquire could be lost. FWP would continue seeking a potential Yellowstone River access in this general location; however, no other riverfront properties are known to be for sale in this vicinity.

Agency Recommendation & Rationale

FWP recommends that the FWP Commission authorize the department to purchase the Holmgren property to provide public access to the Yellowstone River and protect important recreational and habitat values.

Proposed Motion

"I move that the Commission authorize FWP to purchase the Holmgren property along the Yellowstone River in Stillwater County for the price of \$550,000."



Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105

NOTICE OF DECISION

for
Holmgren State Park
August 15, 2008

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*

Director's Office

Parks Division

Fisheries Division

Wildlife Division

Lands Section

Design & Construction

Legal Unit

Regional Supervisors

Mike Volesky, Governor's Office *

Sarah Elliott, Press Agent, Governor's Office*

Maureen Theisen, Governor's Office*

Montana Historical Society, State Preservation Office

Janet Ellis, Montana Audubon Council

Montana Wildlife Federation

Montana State Library*

George Ochenski

Montana Environmental Information Center

Wayne Hirst, Montana State Parks Foundation

FWP Commissioners

Montana Parks Association (land acquisition projects)

DNRC Area Manager, Southern Land Office

Rob Raney

County Commissioners

Other Local Interested People or Groups

* (Sent electronically)

Ladies and Gentlemen:

A Draft Environmental Assessment (EA) was prepared for acquisition of the Holmgren State Park, a 72-acre property located on the Yellowstone River. The property is located approximately 6 miles upstream from Columbus, Montana, and includes approximately 1 mile of the Yellowstone River. The \$550,000 acquisition would be purchased through funding provided through Access Montana.

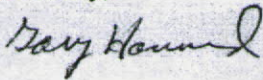
The draft EA was circulated for public comment for 30 days, beginning on July 8, 2008 and ending on August 8, 2008. A public meeting held in Columbus, Montana on July 24, 2008 was attended by 23 individuals. Legal and/or public notices were published in the Billings Gazette, the Helena Independent Record, the Stillwater County News, the

Yellowstone County News, as well as the MFWP Website. Additionally, a statewide press release was published announcing the July 24th public meeting.

Purchase of the Holmgren property will preserve a strategically-located access that is ideally located between Indian Fork Fishing Access Site (FAS) and Itch Ka Pee Park (located in Columbus). Presently, there is a distance of 19 miles between those two public access points.

After review of the public comments this proposal has generated, and considering conversations with neighboring landowners, as well as considering the significant public support and local government support for this project, it is my recommendation to accept Alternative 'B', the preferred alternative, which is to acquire the property known as the Holmgren property subject to final approval by the FWP Commission and the Land Board. The acquisition of the acreage adjacent to the Yellowstone River will provide the public with a strategically-located additional recreational site under the management of FWP along this popular river.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary Hammond", written in a cursive style.

Gary Hammond
Regional Supervisor

HOLMGREN ACQUISITION & DEVELOPMENT PROPOSAL

EA PUBLIC COMMENT SUMMARY

- **Public comment period:** 7/8/08 - 8/8/2008
- **Public notices** placed on state website (7/11/08), published in the Helena Independent Record (7/15 & 7/22/2008) and the Billings Gazette (7/10 & 7/17/2008).
- **Article** regarding proposal and meeting; Statewide Press Release from FWP (7/11/08); Billings Gazette article (7/13/08); Stillwater County News article (7/16/08).
- **Public meeting;** 7/24/2008 in Columbus, MT 7:00 – 9:00 pm
 - 23 individuals signed in at the meeting.
 - **12 spoke in favor of the project proposal – none spoke in opposition.** A downstream neighbor asked several questions about the proposal, and how the acquisition might affect them (see attached).
(Several telephone calls were also received to discuss the proposal.)
- **An on-site meeting** was also held with an adjoining landowner to answer question relative to the proposal).
- **A total of seven comments were received in writing or via email during the public comment period, which were all in support of the proposal,** and included;
 - Three comments were received from outdoor recreation organizations;
 - Four comments were received from individuals.

RESPONSE TO PUBLIC COMMENTS

IN SUPPORT OF PREFERRED ALTERNATIVE

Public comment on this proposal expressed support for FWP selecting the preferred alternative (Alternative 'B') because of:

- it's strategic location given the significant distance between Indian Fort FAS (12 miles upstream) and Itch-Ke-Pe Park (7 miles downstream);
- it's contribution to the local economy of adjacent communities;
- Bathroom facilities provided at the site would help alleviate trespass issues and reduce "potty stops" in front of existing cabins and homes;
- the significant demand for additional accesses along the Yellowstone River.

FWP agrees that the Holmgren acquisition would represent a significant net benefit for many of the above-cited reasons submitted by the public at the Columbus public meeting and through written comments.

FUTURE OF THE PROPERTY IF NO ACTION ALTERNATIVE IS CHOSEN

If the no action alternative is selected, the property will likely be sold to a private individual, with a low likelihood for the public to enjoy access to the river at this location. Additionally, the presence of a FAS or State Park at this location will concentrate usage on a specific site that will receive regular maintenance as part of our existing region 5

FAS operation and maintenance responsibilities. Lastly, if FWP does not purchase the site, there could be development here that could compromise or eliminate the open space along the river that exists today.

SITE MANAGEMENT

Public use will create litter, noise, and late night partying.

Our management goal will be a safe, clean site and to minimize impacts on neighbors. If issues arise or persist, we can use progressively more development or management to reach our goal. The site will be added to our regular maintenance schedule for the Yellowstone River that includes two visits per week during high use periods. The majority of FWP fishing access sites are managed on a pack it out/leave no trace approach without any garbage service provided. This places the responsibility on recreationists and prevents household garbage from being placed in garbage cans. The site will be managed under the existing FWP public use regulations. Vehicles will be restricted to developed roads and parking/camping areas. As described below in the Enforcement Issues section, FWP will maintain a strong enforcement presence at the location.

DEVELOPMENT SUGGESTIONS

There was some concern about the potential of a 50 campsite development here.

There would be phased-in development accompanying this project. Initially, there would be walk-in or float-in opportunities, with no overnight camping. A secondary phase, as budgets allowed, would result in the development of a parking lot, a boat ramp, and latrine. A final phase could include camping facilities, which could include on-site staffing (camp host), interpretive signing, etc. The final size, location and configuration of a campground would involve additional analysis and discussion, which would involve a conversation with neighboring landowners and other interests.

ENFORCEMENT ISSUES

How will FWP ensure that public and / or private properties are not subjected to crime and vandalism?

FWP wardens have law enforcement responsibilities on a broad landscape; however, FWP lands receive an increased department and law enforcement presence. The Region 5 Enforcement Division has 9 field wardens, 9 ex-officio wardens, two warden sergeants, and a warden captain that proactively patrol and are available for call-out. The law enforcement officers from the Region 5 Enforcement Division staff regularly communicate and work with the Stillwater County Sheriff's Office (SCSO). The SCSO has historically been responsive to Fish, Wildlife, and Parks enforcement concerns; both proactively and when immediate warden response is unavailable. Damage to private or public property will be subject to penalties as per criminal statute MCA 45-6-101. Criminal mischief (1) A person commits the offense of criminal mischief if the person knowingly or purposely: (a) injures, damages, or destroys any property of another or public property without consent; or (b) without consent tampers with property of another or public property so as to endanger or interfere with persons or property or its use.

WEED MANAGEMENT

How does FWP plan to address management of weeds to ensure that weeds are not spread to neighboring properties?

Weeds will be managed under the auspices of the FWP Statewide Integrated Noxious Weed Management Plan. The plan guides the agency's annual \$600,000 noxious weed management program including \$34,168.64 in Region Five. FWP's noxious weed management efforts target exotic plant species capable of harming native plant communities and making land unfit for agriculture, forestry, livestock, wildlife, and other beneficial uses. We have a long successful partnership with Stillwater County in weed management on our sites utilizing a combination of contracted chemical spraying and in house resources for integrated weed management. We would continue that on this property.

If the Proposed Action is approved by the FWP Commission and the Montana Land Board, and a successful sale completed, FWP would assess the property for weeds, and initiate an integrated weed management plan. Weed management will involve using techniques that will have minimal impacts to fish and wildlife habitat.

Fencing and signing of boundaries

How will visitors to the site recognize when they are on the public site and not trespassing on the neighboring private land?

FWP works with neighboring landowners to make sure that boundaries are properly marked, and fencing is consistent with the needs of both parties.

Stream Access

What about public use on adjacent private land along the Yellowstone River?

Montana's Stream Access Law identifies legal uses of the waterway by the public. Information relative to that law will be posted on site for the edification of site users.

Hunting safety concerns

What about the use of high powered rifles on the site?

To begin, target shooting and any other shooting will be prohibited on the site outside of the hunting season. Also, there is a downstream buffer between this project and the neighboring landowner that is being retained by the Holmgren family. Approximately a third of the FAS/State Parks in Region 5 do not allow hunting with high-powered equipment due to safety concerns. FWP attempts to balance and consider safety concerns with the legal requirement to address game damage.



Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105

July 8, 2008

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*

Director's Office
Parks Division
Fisheries Division
Wildlife Division

Lands Section
Design & Construction
Legal Unit
Regional Supervisors

Mike Volesky, Governor's Office *
Sarah Elliott, Press Agent, Governor's Office*
Maureen Theisen, Governor's Office*
Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
FWP Commissioner Shane Colton*
Montana Parks Association/Our Montana (land acquisition projects)
Bob Raney (Parks EA's only)
DNRC Area Manager, Southern Land Office
Stillwater County Commissioners*
Other Local Interested People or Groups

* (Sent electronically)

Ladies and Gentlemen:

The enclosed draft Environmental Assessment (EA) has been prepared for the purchase of approximately 72 acres of land along the Yellowstone River, west of Columbus, Montana. The purpose of the acquisition is to provide public access to the river at a strategic location, and secure the future opportunity to develop additional public recreational amenities. Initial development would include boundary fencing, site signage, construction of a public crossing of the railroad tracks and a small parking area. Questions and comments will be accepted through August 8, 2008.

If you have questions or need additional copies of the draft EA, please contact Montana Fish, Wildlife & Parks at 247-2940. Please send any written comments by mail to: Holmgren Acquisition, Montana Fish, Wildlife & Parks, 2300 Lake Elmo Drive, Billings MT 59105; or e-mail comments to dhabermann@mt.gov.

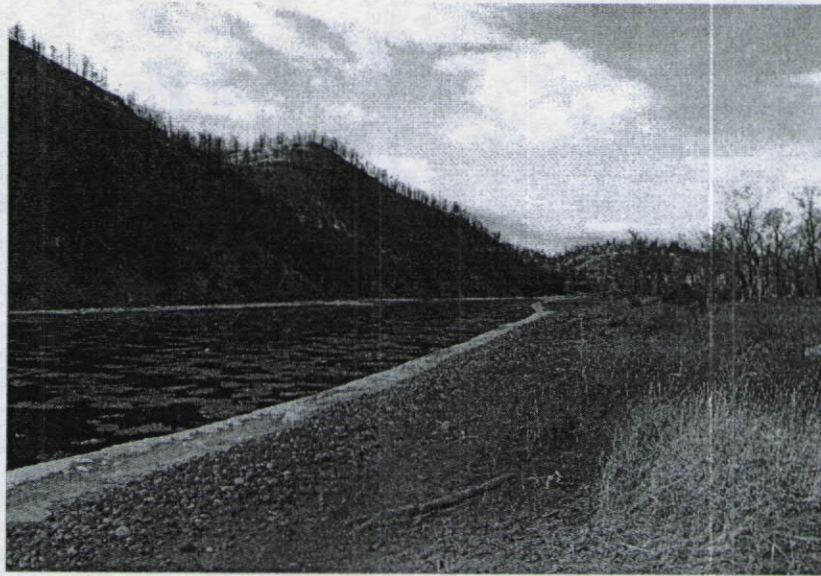
Thank you for your interest,

Gary Hammond
Regional Supervisor

Enclosure

Draft Environmental Assessment

Holmgren Acquisition



July 2008



***Montana Fish,
Wildlife & Parks***

Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Proposed state action:** Montana Fish, Wildlife, & Parks proposes to purchase approximately 72 acres of land along the Yellowstone River, west of Columbus, Montana. The purpose of the acquisition is to provide public access to the Yellowstone River at a strategic location, and to secure the future opportunity to develop additional public recreational amenities at this site, potentially including a camping area.

Initial development would include necessary boundary fencing, site signage, construction of a public crossing of the railroad tracks (subject to prior approval by BNSF Railroad) and a small parking area allowing walk-in use of the area. Secondary development would include drive-in river access with parking, boat launch and latrines. The Department will consider establishing the site as a new state park, probably within a five-year time frame, if subsequent analysis demonstrates a need and public benefits from such a course of action. A separate environmental assessment would be prepared and made available for public review and comment before undertaking either the secondary or park development of the site.

2. **Agency authority for the proposed action:**
FWP has the authority to develop outdoor recreational resources in the state per 23-2-101 MCA. State statute 87-1-209, gives the Department the authority to acquire lands for the state parks and outdoor recreation. Furthermore, 23-1-101 provides the Department with the authority to conserve scenic, historic, archaeological, and recreational resources of the state.

3. **Name of project:** Holmgren Acquisition

4. **Project sponsor:**
Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings, MT 59105
406-247-2940

5. **Estimated Schedule of Events:**
Environmental Assessment:
Public Comment Period: July, 2008
Decision Notice Published: August, 2008

Acquisition:
FWP Commission Final Approval: August, 2008
State Land Board Approval: August, 2008

6. **Location:**
Stillwater County, T2S R19E, Section 14 Lots 2,3,4, and 6



Approximate location of property



7. **Area Affected:**

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain (100 yr)	<u>32</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(b) Open Space/	<u>0</u>	Irrigated cropland	<u>0</u>
Woodlands/Recreation		Dry cropland	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Forestry	<u>0</u>
Areas		Rangeland	<u>40</u>
		Other	<u>0</u>

8. **Other Local, State or Federal agency that has overlapping or additional jurisdiction.**

(a) **Permits:**

Burlington Northern Santa Fe – Public railroad crossing permit
Montana Department of Transportation – Approach permit

(b) **Funding:**

Montana Fish, Wildlife & Parks –	
Acquisition	\$ 550,000
<u>Initial Development</u>	
Railroad Crossing Equipment	\$80,000 - \$160,000
Signage and Parking	\$20,000

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
Montana State Historical Preservation Office	Cultural Resources

9. Summary of the proposed action:

Montana Fish, Wildlife, & Parks proposes to acquire approximately 72 acres, including a mile of shoreline on the Yellowstone River, from the Holmgren Ranch (Appendix A) for the price of \$550,000. The property is approximately 5 miles west of Columbus along State Highway 10.

The property is currently being used as a grazing pasture for cattle. The majority of the pasture has minimal ground covering. The western boundary of the property is edged with mature cottonwood trees, mature willows, and some woody debris from old cottonwoods. Along the river, there is a healthy grove of cottonwood trees surrounded by a thicket of willows. This area includes a small island, which is part of the Holmgren property and would be included in the acquisition. There are two additional islands in close proximity to the Holmgren's owned by Montana Department of Natural Resources.

There is an active Burlington Northern Santa Fe (BNSF) Railroad line along the property's northeastern side, currently operated by Montana Rail Link. There is a private single lane crossing from Hwy 10 across the BNSF right-of-way to gain access into the property. Because of line-of-sight issues at the location of the existing crossing and the grade of Highway 10, Montana Department of Transportation has recommended a different location for the crossing if the proposed acquisition is approved and FWP agrees with this assessment. Montana Rail Link has confirmed this as a suitable location railroad crossing location, pending approval from BNSF. FWP now needs to obtain a permit from BNSF for a public crossing at this location, and is pursuing the application process for that purpose. Additionally, FWP may install a fence along the right-of-way and property's border, if requested to do so by BNSF/Rail Link.

FWP has also been in close contact with staff of the Montana Department of Natural Resources and Conservation (DNRC) to ascertain information on any riverfront ownership claims that DNRC might advance in this area. (DNRC, on behalf of the State of Montana, asserts ownership of islands that have arisen from the bed of the river and that were not patented into private ownership at the time of Montana statehood.) Based on that inter-agency review, FWP obtained a survey that excluded any such potential land from its proposed purchase of the Holmgren property.

Need and Benefits

This property is situated 31 miles east of Greycliff Prairie Dog Town State Park and 18 miles southeast of Cooney State Park. Annual visitation statistics for those two state parks average 15,000 to 150,000 annual visitors, respectively. This property is between the Indian Fort FAS, 12 miles upstream, and Itch Ka Pee park in Columbus, 7 miles downstream, making this an idea split between these two sites for a day float. Those sites have moderate use of approximately 1,000 visitors during peak months. It is anticipated the Holmgren property would be used heavily by anglers both for bank and float fishing as well as launching and taking out both non-motorized and motorized watercraft. The Stillwater County Commission has expressed their support for this project to the FWP Commission and in discussions with FWP regional staff.

This site would potentially provide travelers a new recreation area in south-central Montana. The location of this property on the Yellowstone River, along the Interstate 90 corridor between Bozeman and Billings, with approximately one mile of river frontage, makes this site of particular interest to FWP. It is within one hour's drive of the major population center of Billings as well as close to the growing community of

Columbus. The site would be progressively developed as funding and management capability allows, initially provided a walk-in opportunity for bank fishing and other recreational activities. Eventually, potential development opportunities would include river access facilities for boat launching and retrieval and a campground.

Improvements, Maintenance and Public Use

These phases reflect a varying level of capital, operations and maintenance funding. Phases could be completed at once or over time. Public use, protection of the natural resources, the health and safety of visitors and consideration of neighboring properties are addressed during all phases. The property, if acquired, will be regulated under existing FWP public use regulations including control of vehicles, firearms and campfires and other accepted FWP recreation area management policies.

Initial Phase

Initial use would include walk in or float in only, with no overnight camping. Property signs and necessary boundary or right of way fences would be built and maintained. FWP will maintain any existing and new fences and implement the Regional Noxious Weed Management Plan in conjunction with the Stillwater County Weed District. Known weeds include Spotted Knapweed and Russian Thistle.

This property already has a private access point across the BNSF railroad line. FWP has consulted with the Montana Department of Transportation regarding a new access road to the property, approximately 100 yards west of the existing one along Highway 10. FWP will be required to obtain a new railroad crossing permit from BNSF for the new access point location, then install appropriate crossing signals to ensure the public's and rail traffic's safety. A small parking lot would be constructed to provide walk-in use of the property.

Regular maintenance for this level of development and use would be accomplished with existing maintenance budgets. This site is intermediate to existing FWP sites and so additional costs would be minimized. Firearms use would be limited to hunting only and restrictions to that use would be considered if necessary for the protection of both recreationists and neighboring land use and to meet wildlife management goals for hunting district 575, wherein this site is located.

Secondary Phase

This would extend the access road to the Yellowstone River, develop a parking lot and provide a boat ramp or launch area to allow for watercraft launching and taking out. Latrines and internal fencing to prevent off road use would be installed. Wildlife enhancements could be considered, dependant on wildlife management goals and available funding. This level of development is commonly associated with Fishing Access Site designation.

Final Phase

Eventually, a campground of up to 50 campsites would be constructed, including on-site staffing such as a camp host, interpretive signing, additional latrines and other amenities. A full development such as this could cost up to \$500,000 and the goal would be to have this completed within 5 years. This level of development is associated with a State Park designation.

10. Alternatives Other than the Proposed Action:

Alternative A: No Action

If FWP were not to acquire the 72 acres from the Holmgrens, the property would likely stay within the family and be leased for grazing pasture, at least in the near future. Potentially, the Holmgrens could decide to sell the property to another buyer for another use (i.e. development, single home, etc.).

PART II. ENVIRONMENTAL REVIEW CHECKLIST

The analysis of the physical and human environments discussed on the following pages is limited to Alternative B as the potential impacts of Alternative A are difficult to define beyond the status quo being maintained by the current owners. If the current owners decide to sell the acreage to another buyer, it is unknown if there would be any physical changes to the current resources present there.

3. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?		X				
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?		X				
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				

No geological changes are required for the proposed action. No modifications to existing erosion patterns are anticipated since the fence lines' location is on level ground.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)		X				
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				

There will be no changes to the ambient air quality if the proposed action would take place.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. <u>WATER</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?		X				
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X		X	3h
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				

There will be no impacts to the Yellowstone River if the acquisition of the Holmgren property by FWP was approved.

- 3h. If the proposed action were completed, the application of herbicides to manage the existing noxious weeds would be done per the guidelines presented in the FWP Region 5 Noxious Weed Management Plan in cooperation with the Stillwater County Weed District.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. <u>VEGETATION</u> Will the proposed action result in?	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X			4a
b. Alteration of a plant community?		X				
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				4c
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		X	4e
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				4f

- 4a. The proposed action would not change the diversity of the existing plant species on the property, but the abundance of grasses and shrubs are expected to increase because the area will no longer be grazed by cattle.
- 4c. A search of the Montana Natural Heritage database on 1/16/08 revealed no occurrences of plant life that is designated a species of concern, threatened or endangered within the property.
- 4e. Currently, the property has a limited infestation of spotted knapweed and Russian thistle. The proposed acquisition of Holmgren property and its usage by the public could lead to the additional spread of noxious weeds. If the acquisition were approved, FWP would initiate an integrated weed management plan to manage any noxious weeds. This would be coordinated with the Stillwater County Weed District, whom FWP has worked with successfully for many years.
- 4f. No wetlands designated by Montana Department of Environmental Quality or the Riparian Wetland Research Program will be affected by this acquisition (2/22/08, via Digital Atlas of Montana database <http://maps2.nris.mt.gov/mapper/MapWindow.asp?Profile=3163763&Cmd=Build+Reports>). There are no prime farmlands included within the property's boundaries, but 47% of property is considered Farmland of Local Importance (1/16/08, Natural Resources Conservation Soil Survey database).

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				5f
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				5h
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				

The acquisition of the 72 acres will not affect the abundance of game and nongame species that move through the property. Game species that are known to use the property are white-tailed deer and wild turkey. The river bottom area is also habitat for numerous small mammals and a variety of bird species. (Assessments by Justin Paugh, FWP Wildlife Biologist, and Allison Begley, FWP Native Species Biologist)

5f/h. A search of the Montana Natural Heritage database revealed three sensitive species known to be generally distributed in the vicinity of the targeted acreage. The three species identified were the Bald Eagle, Yellowstone Cutthroat Trout, and Common Sagebrush Lizard. There are no threatened or endangered species found to be in the area of the parcel.

There are two recorded bald eagle nests near the Holmgren property, one on the island related to the property and the other upstream and across the river. Both nests are noted to be inactive since the late 1990s. There are no other nests reported within a 1-mile radius of the property. However, eagles are known to use the river corridor year-round for forage and as a travel route. The proposed new FAS will pose no threat nor impact the eagles that use the river area (assessment of Allison Begley, FWP Non-Game Wildlife Biologist).

No impacts are expected to occur to the other two species since the proposed acquisition does not include habitat required for the sagebrush lizard, nor are structures to be established in the Yellowstone River potentially impacting Yellowstone Cutthroat Trout.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?		X				
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

There will be no changes to the normal noise levels due to the proposed acquisition. BNSF will continue to mark the location of the crossing with the blowing of the train's engine horn.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X			7a
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

- 7a. The proposed action will alter the historic use of the property from a grazing pasture to a public recreation area. Until FWP develops the site for a formal state park, the acreage will be maintained in its natural state. Vegetation will be left in a natural state with the exception of noxious weeds, which will be managed per the Region 5 Noxious Weed Management Plan in cooperatin with the Stillwater County Weed District.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		X	8a
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				8c
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)			X		X	8d

8a/d. Chemical spraying is part of FWP's integrated weed management program to manage noxious weeds. Certified professionals would utilize permitted chemicals in accordance with product labels and as provided for under state law.

8c. The relocation of the access point to the property will reduce the potential for accidents to occur due to poor visibility from the access road onto the highway. Additionally, the new access road and RR crossing will be equipped with an automatic railroad crossing gate, whereas the existing access road does not have such equipment.

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				

The proposed action will have no negative effect on the community of Columbus, increase traffic hazards, or alter the distribution of population in the area. The change of location of the existing railroad crossing to one that is further due west will improve the line-of-sight for those visiting the property and merging onto Hwy 10. Future development of the site would have a positive economic benefit to retail and service businesses in the Columbus and Reed Point area.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?			X			10c
d. Will the proposed action result in increased use of any energy source?			X			10d
e. **Define projected revenue sources		X				
f. **Define projected maintenance costs.						10f

10c/d. The new railroad crossing equipment will require a connection to a nearby electrical power source to function properly. This connection will be a new service to the property's location because no automatic crossing device exists at the current access road and railroad crossing.

10f. Expenditures associated with the maintenance of the site are anticipated to be \$500 annually. This expense will be for noxious weed management, fencing, and boundary and regulatory sign maintenance.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X			11c
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				

- 11c. The public access to this stretch of the Yellowstone River would be improved by creating intermediate access between Indian Fort FAS (near Reed Point) and Itch Ka Pee access in Columbus, a river distance of 20 miles. As a result of the proposed action, it is likely that there would be an increase in opportunity for recreationists for fishing and floating activities in this section of the Yellowstone. See *Appendix D* for Tourism Report.

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)	X					

- 12d. The State Historic Preservation Office (SHPO) has determined that there are no previously recorded sites within the proposed acquisition property boundary and that there is a low likelihood of cultural resource impacts. They have requested further consultation when development plans are completed and FWP will do so.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. ****For P-R/D-J, list any federal or state permits required.						X

The proposed action is expected to generate very little public controversy, set a precedent, or have considerable impacts to the physical and human environment.

13g. See page 2, 8(a) for a list of required permits.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

State pesticide use laws and regulations will be followed. Application records will be submitted to the Montana Department of Agriculture as required, and these records will be available upon request.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed acquisition of 72 acres with river frontage along the Yellowstone River will provide FWP with the opportunity to establish a formal recreation area for vacationers traveling along Interstate 90 corridor between Bozeman and Billings.

The acquisition will not have significant impacts on the physical environment (i.e. geological features, fish and wildlife, and water resources). The proposed project will affect the human environment (i.e. land use, recreation, and utilities) in a limited fashion. Most of these effects will be positive in quality, in that additional public access along the Yellowstone River will become available for the enjoyment of the natural surroundings and water-based activities. The minor impacts to the current environment are needed noxious weed management on the property and to ensure the public's safety when accessing the area via a new road and railroad crossing.

The acquisition will ensure the viewshed and aesthetic value of the land is maintained for the benefit of the public and wildlife.

PART IV. PUBLIC PARTICIPATION

1. Public Involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in each of these papers: *Helena Independent Record*, *Billings Gazette*, and *Stillwater County News*;
- One statewide press release;
- Direct mailing to adjacent landowners and interested parties;
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies will be available for public review at FWP Region 5 Headquarters.

This level of public notice and participation is appropriate for a project of this scope having few limited physical and human impacts.

2. Duration of comment period.

The public comment period will extend for (30) thirty days. Written comments will be accepted until 5:00 p.m., August 8, 2008 and can be mailed to the address below:

Holmgren Acquisition
Montana Fish, Wildlife & Parks
Region 5 Headquarters
2300 Lake Elmo Drive
Billings, MT 59105

Or email comments to: dhabermann@mt.gov

PART V. EA PREPARATION

1. **Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? No**
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.

Based upon the above assessment, which has identified a very limited number of minor impacts from the proposed action, an EIS is not required and an environmental assessment is the appropriate level of review.

2. **Persons responsible for preparing the EA:**

Doug Habermann
Regional Parks Manager
Montana Fish, Wildlife & Parks
2300 Lake Elmo Drive
Billings, MT 59105
406-247-2954

Rebecca Cooper
MEPA Coordinator
Montana Fish, Wildlife & Parks
1420 E. 6th Ave.
Helena MT 59601
406-444-4756

3. **Agencies/organizations consulted during preparation of the EA:**

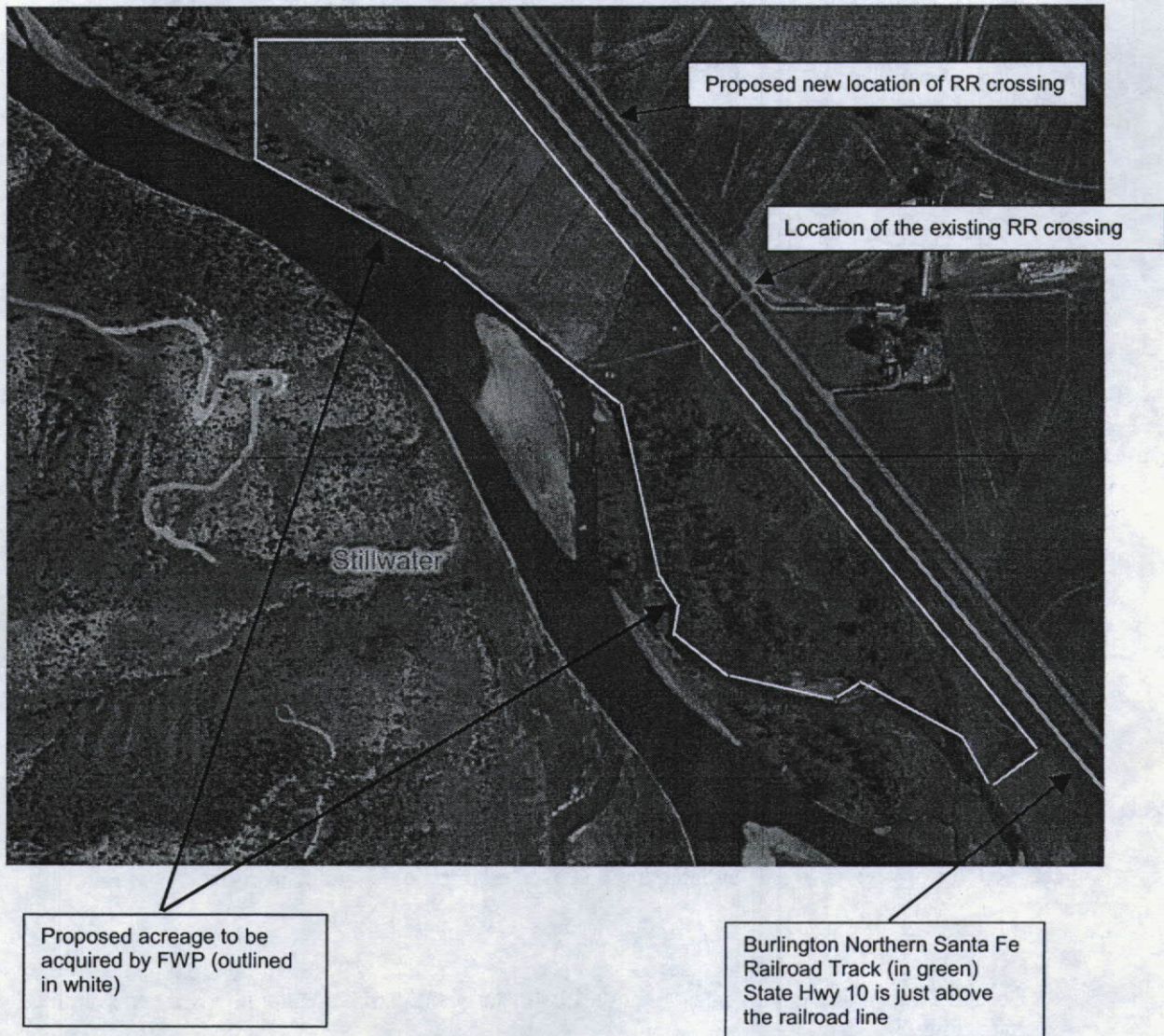
Montana Fish, Wildlife & Parks
Lands Bureau
Legal Bureau
Parks Division
Wildlife Division
Fisheries Division
Montana Department of Commerce – Tourism
Montana Natural Heritage Program – Natural Resources Information System (NRIS)
Montana State Historical Preservation Office
Montana Department of Transportation
Montana Rail Link

APPENDICES

- A. Map of Property to be Acquired
- B. Tourism Report – Department of Commerce
- C. SHPO Letter

APPENDIX A

Map of Property



APPENDIX B

TOURISM REPORT

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Carol Crockett, Visitor Services Manager
Travel Montana-Department of Commerce
301 S. Park Ave.
Helena, MT 59601

Project Name: Holmgren Property Acquisition

Project Description: Montana Fish, Wildlife, and Parks propose to purchase via fee title approximately 76 acres of land along the Yellowstone River, east of Columbus, Montana. Potentially, this site would be established as a new state park within the next four-fives years. The public access to this stretch of the Yellowstone River would be newly opened since there are no fishing access sites (FAS) between Indian Fort FAS near Reed Point and Homestead Isle east of Laurel, a river distance of 41 miles.

Initially, the site would be open during daylight hours on a limited basis. Signage would be installed to identify it as public property.

1. Would this site development project have an impact on the tourism economy?
NO YES If YES, briefly describe:

As described, the project has the potential to have a positive impact on the tourism and recreation economy.

2. Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?
NO YES If YES, briefly describe:

As described, the project has the potential to positively impact the quality and quantity of tourism/recreation opportunities and settings.

Signature Carol Crockett Date 3/11/08

APPENDIX C



MONTANA HISTORICAL SOCIETY

225 North Roberts ♦ P.O. Box 201201 ♦ Helena, MT 59620-1201
♦ (406) 444-2694 ♦ FAX (406) 444-2696 ♦ www.montanahistoricalsociety.org ♦

RECEIVED

APR 17 2008

DESIGN & CONSTRUCTION
DEPT. OF FISH, WILDLIFE & PARKS

April 15, 2008

Paul Valle
Design & Construction Bureau
600 North Park Ave
PO Box 200701
Helena MT 59620-0701

RE: STILLWATER COUNTY, LAND PARCEL PURCHASE. SHPO Project #:
2008041501


Dear Mr. Valle:

I have conducted a cultural resource file search for the above-cited project located in Section 14, T2S R19E. According to our records there have been no previously recorded sites within the designated search locales. The absence of cultural properties in the area does not mean that they do not exist but rather may reflect the absence of any previous cultural resource inventory in the area, as our records indicated none.

Because this is only a land purchase and no ground disturbance will be taking place we feel that there is a low likelihood cultural properties will be impacted. We, therefore, feel that a recommendation for a cultural resource inventory is unwarranted at this time. However, when development plans are completed we would appreciate further cultural resource consultation with our office.

If you have any further questions or comments you may contact me at (406) 444-7767 or by e-mail at dmurdo@mt.gov. Thank you for consulting with us.

Sincerely,


Damon Murdo
Cultural Records Manager

File: FWP/PARKS/2008



STATE HISTORIC PRESERVATION OFFICE ♦ 1410 8th Ave ♦ P.O. Box 201202 ♦ Helena, MT 59620-1202
♦ (406) 444-7715 ♦ FAX (406) 444-2696 ♦ www.montanahistoricalsociety.org/shpo ♦